

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BART STREET III,	)	
	)	
Plaintiff,	)	
vs.	)	Case No.: 2:17-cv-00083-GMN-VCF
	)	
ACC ENTERPRISES, LLC, et al.,	)	<b>ORDER</b>
	)	
Defendants.	)	
	)	

---

Pending before the Court is the Motion for Permission to File Non-Resident Cost Bonds, (ECF No. 20), by Plaintiff Bart Street III (“Plaintiff”). Also before the Court is the Motion for Demand for Security of Costs, (ECF No. 28), filed by Defendants ACC Enterprises, LLC and ACC Industries, Inc (collectively “Defendants”). On March 8, 2017, Plaintiff filed a Notice of Non-Opposition to Defendants’ Motion for Demand for Security of Costs. (ECF No. 30).

Under Nevada law, “[w]hen a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant.” NRS § 18.130(1). “After the lapse of 30 days from the service of notice that security is required . . . upon proof thereof, and that no undertaking as required has been filed, the court or judge may order the action to be dismissed.” NRS § 18.130(4). It is the policy of the United States District Court for the District of Nevada to enforce the requirements of NRS § 18.130 in diversity actions. *See, e.g., Feagins v. Trump Org.*, No. 2:11-cv-01121-GMN, 2012 WL 925027, at \*1 (D. Nev. Mar. 19, 2012).

///

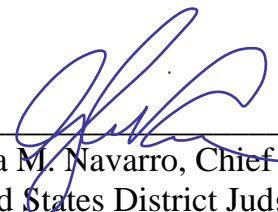
1 Accordingly,

2 **IT IS HEREBY ORDERED** that Defendants' Motion for Demand for Security of  
3 Costs, (ECF No. 28), is **GRANTED**.

4 **IT IS FURTHER ORDERED** that Plaintiff must submit a bond pursuant to this  
5 Order in the amount of \$500.00 as to each Defendant. Failure to do so within thirty days  
6 of the filing date of this Order shall constitute grounds for dismissal.

7 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Permission to File Non-  
8 Resident Cost Bonds, (ECF No. 20), is **DENIED as moot**.

9 **DATED** this 13 day of March 2017.

10  
11  
12   
13 \_\_\_\_\_  
14 Gloria M. Navarro, Chief Judge  
15 United States District Judge  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25